

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, FEBRUARY 29, 1988
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:08 p.m. with Council Members Roberts, McColl, and Struiksma not present. Council Member Roberts recognized the captain of the Portugese naval attache and a member of the Council General of Portugal for delivering the new Cabrillo Monument as a token of friendship. Mayor O'Connor adjourned the meeting at 6:32 p.m. into Closed Session on Tuesday, March 1, 1988, at 9:30 a.m., in the twelfth floor conference room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member McColl-not present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Reverend Father James A.
Wilson of the Good Samaritan Episcopal Church.
FILE LOCATION: MINUTES

Feb-29-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Pratt.

FILE LOCATION: MINUTES

ITEM-30: GRANTED HEARING

Matter of the request of Chapel of The Rock - MDC Mark II,
by Rev. Ron Shires, for a hearing of an appeal from the
decision of the Board of Zoning Appeals in denying
CUP-19703, proposing to: (1) construct a church and K-8
grade school on a vacant lot where such uses are permitted
by Conditional Use Permit only; and (2) provide 18 percent
of the lot area for automobile parking and driveways where
a minimum of 40 percent is required, on a site located on
the northwest corner of Candida Street and Via Pasar, in
Zone M-1B, in the Mira Mesa Community Plan area. The
subject property is further described as Lot 31, Mark II
Industrial Park, Map-9310.
(CUP-19703. District-5.)

A motion granting or denying the request for a hearing of
the appeal.

NOTE: If the request to allow an appeal is granted, time has
been reserved for the project to be heard on Tuesday, March 22,
1988, at 10:00 a.m.

FILE LOCATION: ZONE, ZONING APPEALS CUP-19703

COUNCIL ACTION: (Tape location: A084-108.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING. Second by
Struiksma. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea,
Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-88-79 Rev.1) ADOPTED AS ORDINANCE O-17033 (New
Series)

19880229

Amending Chapter X, Article 1, Division 5, of the San Diego
Municipal Code relating to Conditional Use Permits for New

Research, Development and Demonstration Hazardous Waste Facilities. The amendments would 1) Define certain terms; 2) Set time limits for processing permit application; and 3) Provide for an initial determination of project consistency with certain City plans and ordinances. (Introduced on 2/16/88. Council voted 5-4. Districts 1, 2, 8 and Mayor O'Connor voted nay.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C357-372.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-nay.

* ITEM-51: (O-88-129) ADOPTED AS ORDINANCE O-17034 (New Series)

Introduction and adoption of an Ordinance amending Chapter II, Article 7, Division 32, of the San Diego Municipal Code by amending Section 27.3208 relating to Petition In-Lieu-Of Nominating and Filing Fee Procedures.

CITY CLERK SUPPORTING INFORMATION: This amendment is requested to correct an inconsistency in the Municipal Code as it relates to signature requirements for write-in candidates. Section 27.2120 establishes for regular candidates for office a \$0.25 per signature value on petitions submitted in lieu of the nominating fee. Under Section 27.3208, however, write-in candidates need only submit a total of 100 signatures to entirely offset the nominating fee for write-in candidacy (established in 1987 at \$200 for City Council; \$300 for all other offices). This amendment would establish an equal and uniform value of \$0.25 per signature on petitions submitted in lieu of the nominating fee by both regular and write-in candidates.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C373-382.)

CONSENT MOTION BY McCARTY TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-88-1511) ADOPTED AS RESOLUTION R-270425

Awarding contracts for the purchase of major lawn equipment (Park and Recreation), for a total cost of \$120,816.65, as follows: (BID-9342)

1. C.R. Jaeschke, Inc. for Item 1 (Alternate Bid) and Item 3.

2. San Diego Turf for Items 2, 4 and 5.

Aud. Cert. 8800751.

FILE LOCATION: MEET CONT FY88-2

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-88-1510) ADOPTED AS RESOLUTION R-270426

Awarding contracts for the purchase of equipment hauling trailers, for an actual cost of \$104,304.49, including tax, as follows: (BID-9411)

1. Bebeco - Item 1, five end dump pup trailers.

2. Walton Products - Item 3, one tilt trailer, 22,000 pound GVW.

3. Aros Mfg. Co. - Item 4, one boat trailer.

Aud. Cert. 8800740.

FILE LOCATION: MEET CONTFY88-3

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102:

Four actions relative to the final subdivision map of Alta Del Mar Unit No. 2, a 10-lot subdivision located northeasterly of Via de la Valle and San Andres Drive: (Via de la Valle Community Area. District-1.)

Subitem-A: (R-88-1644) ADOPTED AS RESOLUTION R-270427

Authorizing the execution of a Subdivision Improvement Agreement with ADM Development Associates for the installation and completion of certain public improvements.

Subitem-B: (R-88-1643) ADOPTED AS RESOLUTION R-270422

Approving the final map.

Subitem-C: (R-88-1646) ADOPTED AS RESOLUTION R-270428
Authorizing the execution of an agreement with ADM
Development Associates, for reimbursement of fees for
street improvements.

Subitem-D: (R-88-1645) ADOPTED AS RESOLUTION R-270429
Authorizing the execution of an agreement with ADM
Development Associates for payment of Development Impact
Fees for public facilities.

FILE LOCATION: SUBD - ALTA DEL MAR UNIT NO. 2 CONT
FY88-3

COUNCIL ACTION: (Tape location: C383-423.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-1662) ADOPTED AS RESOLUTION R-270430

Excusing Mayor Maureen O'Connor from attending the
September 8, 1987 regular and special meetings of the City
Council, for the purpose of participating in official City
business in New York regarding America's Cup.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C383-423.)
CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-104: (R-88-1664) TRAILED TO MARCH 1, 1988, TO BE
DISCUSSED IN CLOSED SESSION

Authorizing the City Attorney to execute a retainer
agreement with the law firm of McDermott, Will and Emery,
to serve as counsel representing the City of San Diego in
the federal lawsuit entitled, Chicano Federation of San
Diego County, et al. v. City of San Diego, et al., Case No.
880103R(M); authorizing the expenditure of funds, as
necessary, for the above lawsuit from the General Revenue
Sharing Fund (18014).

Aud. Cert. 8800768.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C424-602.)

* ITEM-105: (R-88-1625) ADOPTED AS RESOLUTION R-270431

Authorizing the execution of an agreement with Land Studio for consulting services to develop design plans, construction drawings and cost estimates for improvement of pedestrian areas on Park Boulevard; authorizing the expenditure of an amount not to exceed \$39,800 from Fund No. 18523, Department No. 5633, Organization No. 3310, for the above consulting services.

(University Heights Community Area. Districts-2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: A consultant to provide professional services in the preparation of design plans, construction drawings, specifications and cost estimates for improvement of pedestrian areas is proposed as an activity of the Mid-City Commercial Revitalization Project. Revitalization was initiated in 1982 and includes such activities as a loan and rebate program urban design studies, public improvements, and organization of business and assessment districts. The Park Boulevard Project includes funds for the public right-of-way improvements to be designed by the consultant. An advertisement for this project was placed by the Engineering and Development Department and its consultant selection committee recommended three companies from seventeen responses. Representatives from the three companies were interviewed by a committee comprised of City staff from the Engineering and Development, Planning, and Park and Recreation Departments. That committee recommended Land Studio. The consultant will provide the City with conceptual and final design plans, construction drawings, specifications, contract documents and cost estimates for the construction of new sidewalks, curb and gutters, street furniture and landscaping.

Aud. Cert. 8800723.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-88-1401) ADOPTED AS RESOLUTION R-270432

Authorizing the execution of a lease agreement with Gibbs Flying Service, Inc. to operate a fuel island facility at Montgomery Field.

(See City Manager Report CMR-88-34. Kearny Mesa Community

Area. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 2/10/88. Recommendation to adopt the City Manager's recommendation. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: LEAS - GIBBS FLYING SERVICE, INC.
LEAS FY88-1

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-88-1597) ADOPTED AS RESOLUTION R-270433

Approving the Records Disposition Schedule for the Binational Affairs Department; authorizing the City Clerk to implement the recommendations contained in City Clerk Report CC-88-01.

(See City Clerk Report CC-88-01.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-150:

Two actions relative to the formation of a new City Department to Manage Waste:
(See City Manager Report CMR-88-80.)

Subitem-A: (O-88-143) INTRODUCED, TO BE ADOPTED ON
MARCH 14, 1988

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code by amending Section 22.1801 relating to the Departments of the City of San Diego.

Subitem-B: (O-88-144) INTRODUCED, TO BE ADOPTED ON
MARCH 14, 1988

Introduction of an Ordinance amending Ordinance O-16867 (New Series), as amended, entitled "An Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year

1987-88" by amending Exhibit C thereto to create and add a new classification entitled "Waste Management Director" in the Unclassified Service and placing said newly created position in the Executive Category, classification range "Executive IV," with Salary Range 04.0, 04.1, 04.2 and 04.3.

COMMITTEE ACTION: Reviewed by RULES on 2/3/88. Recommendation to adopt the City Manager's recommendation to establish a Waste Management Department. The Committee referred the issues of establishing a Citizen's Advisory Committee on Waste Management and City staff handling of hazardous waste to the City Manager. Districts 2, 3, 7 and Mayor voted yea. District 1 voted nay. Aud. Cert. 8800743.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D570-E261.)

MOTION BY McCARTY TO INTRODUCE SUBITEM-A AND SUBITEM-B. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:

Two actions relative to the Municipal Primary Election, June 7, 1988:

Subitem-A: (O-88-137) INTRODUCED AND ADOPTED AS
ORDINANCE O-17035 (New Series)

Introduction and adoption of an Ordinance calling a Municipal Primary Election in the City of San Diego on Tuesday, June 7, 1988 for the purpose of nominating candidates for Mayor and City Attorney.

Subitem-B: (R-88-1638) ADOPTED AS RESOLUTION R-270434

Adoption of a Resolution requesting the consolidation of a Municipal Primary Election to be held in the City of San Diego on June 7, 1988, with the Statewide Primary Election to be held on the same date.

Aud. Cert. 8800735.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C383-423.)

MOTION BY MCCOLL TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT SUBITEM-A, AND ADOPT SUBITEM-B. Second by Struiksmayea. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-88-1464 Rev. 1) ADOPTED AS RESOLUTION R-270435

(Continued from the meeting of February 2, 1988, Item 205, at the City Manager's request to obtain a new surety.)

Granting an extension of time to February 28, 1988 to Pardee Construction Company, subdivider, to complete the improvements required in Mira View Unit No. 1. (Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On August 28, 1974, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for Mira View Unit No. 1. The agreement expired on August 28, 1976. On May 27, 1986 a time extension was granted to February 27, 1987 by Resolution R-265776. The subdivider has requested a second time extension to February 28, 1988. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to service adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - MIRA VIEW UNIT NO. 1

COUNCIL ACTION: (Tape location: E262-272.)

MOTION BY STRUIKSMA TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202:

Two actions relative to vacating the southerly excess portions of Poway Road east of Sabre Springs Parkway: (Sabre Springs Community Area. District-5.)

Subitem-A: (R-88-1619) ADOPTED AS RESOLUTION R-270436

Vacating the southerly excess portions of Poway Road east of Sabre Springs, adjacent to Creekview South (TM-86-0519), under the procedure for the summary vacation of streets where the portion of street to be vacated consists of excess right-of-way no longer required for street or highway purposes; reserving and excepting from the foregoing vacation the right, easement and privilege of placing, constructing, repairing, replacing, maintaining, using and operating public utilities of any kind or nature; declaring that the City reserves and excepts from vacation and

abandonment, easements, and rights of any public utility pursuant to any existing franchise or renewal thereof; declaring that the easement reserved herein is in, under, over, upon, along and across that portion of Poway Road indicated as Parcel A; declaring that this resolution shall not become effective unless and until the final map for Creekview South (TM-86-0519) has been approved by Council action and completion of the required land sale; in the event that the final map and land sale are not approved within three years after adoption of this resolution, this resolution shall become void and of no further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

Subitem-B: (R-88-1620) ADOPTED AS RESOLUTION R-270437

Certifying that the information contained in Supplemental Environmental Impact Report EIR-86-0519, in connection with Creekview South (TM-86-0519), has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and the State guidelines, and that said Report and Finding have been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The street vacation of the southerly excess rights-of-way of Poway Road has been initiated through the submission of the Vesting Tentative Map for Creekview South, Parcels 23-27 (TM-86-0519) in the Sabre Springs Community. The tentative map proposes the subdivision of 191 acres into 19 lots for multi-family residential and commercial development. In May, 1987, the Subdivision Board approved the tentative map and this vacation is a condition of that tentative map. The areas to be vacated are two fragmented portions approximately 960 square feet and 700 square feet each. The underlying fee is City-owned and requires a land sale. The larger portion is situated in a R-1500 Zone and will have no affect on density since residential development of the adjoining properties are controlled by Planned Residential Development Permit No. 86-0519. The smaller vacation area is within a CN Zone with development of this area subject to the approval of a Planned Commercial Development Permit. The excess portions of Poway Road were acquired for slope purposes and are surplus for the 126-foot right-of-way required for the completion of Poway Road. The areas proposed for vacation have been graded but contain no roadway or utility improvements except for a

drainage structure located in the larger of the two vacation segments. An easement is to be reserved for this structure. The improvement of Poway Road is a condition of the subdivision. Staff review has indicated that excess rights-of-way are no longer needed for present or prospective use and may be summarily vacated conditioned upon the acquisition of the City's fee ownership and recordation of the final map for Creekview South (TM-86-0519).

FILE LOCATION: STRT J-2679, DEED F-4369 DEED FY88-1

COUNCIL ACTION: (Tape location: C383-423.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: DENIED APPEAL

In the matter of an appeal by the San Diego Municipal Employees Association, pursuant to Council Policy 300-6, V, H, of the City Manager's rejection of its petitions for recognition/decertification in the Maintenance and Labor and Skilled Trades and Equipment Operator Units.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E337-F053.)

MOTION BY McCARTY TO DENY THE APPEAL. Second by Henderson. Passed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: TRAILED TO TUESDAY, MARCH 1, 1988 A.M.

In the matter of the Scripps Miramar Ranch (County Island) Annexation.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F054-055.)

ITEM-205: (R-88-1565) ADOPTED AS RESOLUTION R-270438

Confirming the cost of abatement of the property at 4220 Los Pinos Avenue at \$3,510.50; authorizing the amount of \$3,510.50 to be levied as a special assessment against the property; directing the City Manager to process this special assessment as provided in Section 98.0121 of the San Diego Municipal Code and provide the appropriate documentation to the County Auditor before July 1, 1988,

which shall be collected in the same manner as ordinary municipal taxes, pursuant to Government Code Sections 38773 and 38773.5.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On July 27, 1987 the City Council authorized the City Manager to administratively abate the property by 1) securing the single-family residence, 2) demolishing the structurally unstable garage and shed and, 3) clearing weeds and all rubbish from the site. (Resolution R-268952.) All work on this property has been completed and the contractor has been paid out of the Building Inspection Department's Enterprise Fund as previously authorized. In addition, an abandoned vehicle was removed by the Police Department as authorized by the Vehicle Code. A record of abatement and related administrative costs is hereby transmitted for confirmation by Council and for authorization to levy these costs as a special assessment:

Abatement contract	\$2,621.00
Administrative costs	889.50
Total to be assessed	\$3,510.50

Upon approval of the requested actions by City Council, attempts will be made to collect the amounts owed. If that is not successful, the County Auditor will be notified to place the assessment on the tax roll. It will then be collected in the same manner as municipal property taxes and subsequently reimbursed to the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A277-292; F076-103.)

Hearing began at 4:35 p.m. and halted at 4:37 p.m.

Testimony in opposition by Herman Lornes.

MOTION BY McCARTY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-88-1630) ADOPTED AS RESOLUTION R-270421

Commending Dr. Richard L. Kaylor for his dedication and outstanding achievements in the field of education in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A108-137.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-88-1665) ADOPTED AS RESOLUTION R-270439

Proclaiming March 1988 to be "Mediation Month" in full support of the Community Mediation Program and its noble goals dedicated to helping the citizens of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A140-155.)

MOTION BY McCARTY TO ADOPT. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-88-1684) ADOPTED AS RESOLUTION R-270440

Authorizing the City Manager to execute the City's option to renew the industrial medical services contract with the Sharp Rees-Stealy Medical Group, for an additional two-year period beginning March 1, 1988 and ending February 28, 1990; authorizing the expenditure of funds for the provision of industrial medical services, as specified.

(See City Manager Report CMR-88-102.)

COMMITTEE ACTION: Reviewed by RULES on 2/17/88.

Recommendation to adopt the City Manager's recommendation to renew the industrial medical services contract with Sharp Rees-Stealy Medical Group for an additional two-year period. Districts 1, 2, 3, 7 and Mayor voted yea. Aud. Cert. 8800781.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: C603-D565.)

MOTION BY McCARTY TO ADOPT THE MANAGER'S RECOMMENDATION AND CONTINUE TO MONITOR COSTS AND SURVEY AND REPORT TO PUBLIC SERVICES AND SAFETY COMMITTEE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S403:

Nine actions relative to the final subdivision map of Lopez Ridge, a 48-lot subdivision located easterly of I-805, northerly and southerly of Sorrento Valley Boulevard:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-88-1611) ADOPTED AS RESOLUTION R-270441
Authorizing the execution of a Subdivision Improvement Agreement with American Newland Associates for the installation and completion of public improvements.

Subitem-B: (R-88-1610) ADOPTED AS RESOLUTION R-270424
Approving the final map.

Subitem-C: (R-88-1612) ADOPTED AS RESOLUTION R-270442
Approving the acceptance by the City Manager of a grant deed of American Newland Associates, granting to the City Lots 1, 6, 7, 10, 11, 15, 20, 22, 23, 26, 35, 36, 37, 39, 42, 44, 45, 46 and 47 of Lopez Ridge.

Subitem-D: (R-88-1613) ADOPTED AS RESOLUTION R-270443
Authorizing the City Manager to set aside a portion of City-owned land, being a portion of Rancho de los Penasquitos, for general utilities, slope, drainage and public street easement purposes; dedicating said land as and for a public street and naming the same Sorrento Valley Boulevard.

Subitem-E: (R-88-1614) ADOPTED AS RESOLUTION R-270444
Approving the acceptance by the City Manager of a street easement deed of Roadrunner Ridge, Ltd., two street easement deeds of The Fieldstone Company, and a street easement deed of American Newland Associates, granting to the City easements for public street purposes in a portion of Section 26, Township 14 South, Range 3 West, San Bernardino Meridian; in portions of Parcel 1 and Parcel 2 of Parcel Map PM-13065; and in a portion of Lot 1 of Section 34, Township 14 South, Range 3 West, San Bernardino Meridian; dedicating said land as and for public streets and naming the same Sorrento Valley Boulevard and Calle Cristobal.

Subitem-F: (R-88-1615) ADOPTED AS RESOLUTION R-270445
Authorizing the City Manager to set aside a portion of City-owned land, being a portion of Section 33, Township 14 South, Range 3 West, for water easement purposes, in consideration of the payment of \$7,500.

Subitem-G: (R-88-1616) ADOPTED AS RESOLUTION R-270446
Authorizing the execution of an agreement with American

Newland Associates for the acquisition and financing of the Lopez Ridge Animal Crossing.

Subitem-H: (R-88-1617) ADOPTED AS RESOLUTION R-270447

Approving the acceptance by the City Manager of a street easement deed of American Newland Associates, granting to the City an easement for public street purposes in a portion of Rancho de los Penasquitos; dedicating said land as and for a public street and naming the same Sorrento Valley Boulevard.

Subitem-I: (R-88-1618) ADOPTED AS RESOLUTION R-270448

Authorizing the execution of an agreement with American Newland Associates for the acquisition of property to be used for street easement purposes.

CITY MANAGER SUPPORTING INFORMATION: The Subdivision Improvement Agreement includes the improvement of Sorrento Valley Boulevard through the subdivision as well as an off-site section to the west to connect to existing Sorrento Valley Boulevard in Sorrento Valley. The improvement agreement also includes the extension of Sorrento Valley Boulevard to the east (named Calle Cristobal east of Camino Santa Fe) to connect to the existing section of Calle Cristobal in the Canyon Country Subdivision. The Council has accepted a petition from the subdivider and other property owners in the area to construct Sorrento Valley Boulevard and Calle Cristobal by assessment district. The Resolution of Intention to form the district is expected to be before the Council in six or eight months. The animal crossing is being constructed by separate permit and it is proposed to acquire and finance the facility by the assessment district when it is established. Since all of the right-of-way for Calle Cristobal has not been acquired, the subdivider has agreed to pay all the costs necessary to acquire the right-of-way by condemnation, if necessary, and has deposited \$1,343,000 with the City to cover the estimated costs. In addition, several easements in City-owned land are being set aside: 1. The City owned land being set aside for water easement purposes is for the Green Valley Waterline (Ref: 23825-D). A payment of \$7,500 has been made to the City Property Department for that portion of the water easement in City owned land that has not been reserved for water easement purposes by Lusk-Smith/Mira Mesa North and American Newland Associates when the property was deeded to the City. 2. The street, slopes, general utility and drainage easements in City-owned

land being set aside were reserved by Penasquitos Properties
per agreement, Document No. 765539, adopted January 26, 1979,
when the property was deeded to the City.

FILE LOCATION:

Subitems A, B, G, AND I: SUBD - LOPEZ
RIDGE,

Subitem C: DEED F-4370,

Subitem

D: DEED F-4371,

Subitem E: DEED F-4372,

Subitem F: DEED F-4373,

Subitem H: DEED

F-4374 CONT FY88-3; DEED FY88-5

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-nay, Roberts-yea,

McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404:

Three actions relative to the final subdivision map of
North Creek Homes Unit No. 2, a 285-lot subdivision
located southwesterly of 45th Street and Imperial
Avenue:

(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-88-1608) ADOPTED AS RESOLUTION R-270449

Authorizing the execution of a Subdivision Improvement
Agreement with Imperial II for the installation and
completion of public improvements.

Subitem-B: (R-88-1607) ADOPTED AS RESOLUTION R-270423

Approving the final map.

Subitem-C: (R-88-1609) ADOPTED AS RESOLUTION R-270450

Authorizing the execution of an agreement with Imperial
II for the acquisition and improvements to San Pasqual

Street.

CITY MANAGER SUPPORTING INFORMATION: The San Pasqual Street Agreement provides for the City of San Diego and Imperial II to share in the cost of acquiring and improving San Pasqual Street. The City shall have sole responsibility for acquisition; Imperial II shall pay 100 percent of the cost of constructing San Pasqual Street and each shall pay one half the cost of construction of drainage improvements. A bond in the amount of \$285,194 has been posted (Reference 23991-1 - 5-D).

FILE LOCATION: SUBD - NORTH CREEK HOMES UNIT NO. 2
CONT FY88-2

COUNCIL ACTION: (Tape location: C383-423.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: (R-88-1721) ADOPTED AS RESOLUTION R-270451

19880229

(Continued from the meeting of February 22, 1988, Item S400, at John Fowler's request, to allow him to incorporate Council's discussion of this item into the expenditure plan.)

The matter of local street and road projects to be included in the expenditure plan for funds generated through Proposition A.

(See City Manager Report CMR-88-114.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F104-589.)

MOTION BY STRUIKSMA TO ADOPT STAFF RECOMMENDATIONS AS IT RELATES TO ALTERNATIVE TWO. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-88-1670 Rev. 1) TRAILED TO MARCH 1, 1988 P.M.

Authorizing the City Manager to extend the term of the option agreement with Mission Pacific Associates (MPA), on file in the Office of the City Clerk as Document RR-257336-1, from March 1, 1988 to April 5, 1988; declaring that MPA will pay a fee of \$90,000 as

consideration for the option period extension; declaring that the \$390,000 of option fees collected between March 1, 1987 and February 29, 1988, as well as \$65,000 of the option payment for March, 1988, remain eligible for reimbursement as a rent credit against first year operating period rents should MPA obtain financing and execute the option prior to the expiration of the option period extension contemplated in this Resolution; directing the City Manager to report to the Public Facilities and Recreation Committee at or prior to its meeting of March 23, 1988, on a proposal for further option extensions, if any.

(See City Manager Report CMR-88-110. Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Initiated by PFR on 2/24/88.

Recommendation to extend the term of the option agreement with MPA from March 1, 1988 to March 31, 1988. For consideration of the option period extension, MPA will pay a fee of \$90,000. Districts 5, 6, 7, and 8 voted yea. District 1 voted nay.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F590-G252.)

ITEM-S407: HEARING SET FOR MARCH 21, 1988

In the matter of:

The Save Mission Beach Park Initiative (Proposition G) on the November 3, 1987 Ballot.

(City Council determination of vested rights pursuant to the Initiative.)

(Mission Beach Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A273-382; A419-630.)

MOTION BY McCARTY TO SET THE HEARING ON VESTED RIGHTS FOR MARCH 21, 1988. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: (R-89-) ADOPTED AS RESOLUTION R-270604

19880229

The matter of Council direction regarding retention of the steps and the fountain pedestal in the Mission Beach

Plunge.

(Mission Beach Community Area. District-6.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A631-C356.)

Motion by McCarty to request the Mayor and City staff to work with the Board of Supervisors and Legislative Representatives in Sacramento to have special legislation to exempt from the code the pedestal and the steps; and to come up with a schedule to keep everything on course. Second by McColl.

Motion by Roberts to add wording that the City would be responsible for reasonable, additional costs. Developers are to give a breakdown for what the additional costs would be as opposed to total removal costs. Second by McCarty.

MOTION BY WOLFSHEIMER TO ALSO DIRECT THE CITY ATTORNEY'S OFFICE TO SEE WHETHER OR NOT THERE IS A NON-CONFORMING USE TO MAINTAIN THESE STEPS; TO SEE WHETHER OR NOT THERE IS SOME EXEMPTION FOR HISTORIC STRUCTURES TO MAINTAIN THIS USE. DIRECT THE CITY ATTORNEY TO DETERMINE WHETHER OR NOT A WAIVER CAN BE SIGNED BY THOSE UTILIZING THE POOL INDICATING THAT THEY WOULD NOT SUE THE CITY FOR INCIDENTS CAUSED WHEN UTILIZING THE STEPS. Second by Struiksmā. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmā-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

By common consent Mayor O'Connor adjourned the meeting
6:32 p.m.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G253).